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MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2653

PATENT  
2950-0176P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hong Jo JEONG et al. Conf.: 6861  
Appl. No.: 09/711,302 Group: 2653  
Filed: November 14, 2000 Examiner: K.K. Chu  
For: METHOD FOR CHECKING THE EXISTENCE OF AN  
OPTICAL DISK USING A FOCUSING SIGNAL

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

**MS AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 25, 2005

Sir:

Applicants hereby appeal to the Board of Appeals from the Office Action dated August 27, 2004 of the Primary Examiner twice rejecting claims 5-8, 12, 14, 15 and 19-24.

This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Office Action. Thus a fee of \$1,020.00 is required for the full period of the above-requested extension of time.

An extension of ( ) month(s) for responding to the Office Action was previously requested and paid for on . Thus a fee of \$0.00 is required to obtain an additional ( ) month(s) for filing the Notice of

02/28/2005 SSITHIB1 00000115 09711302

01 FC:1401	500.00 OP
02 FC:1253	1020.00 OP

Appeal.

- Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- Large entity - \$500.00  
 Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,520.00.

Payment of the above TOTAL FEE is being made in the following manner:

- Check(s) in the amount of \$1,520.00 is/are enclosed.  
 Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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